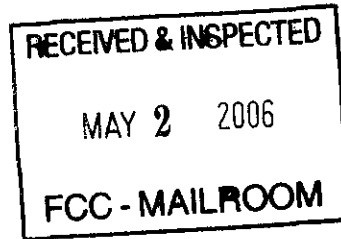




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April 28, 2006

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Comments of Telcordia Technologies, Inc. on the Petition for Limited Waiver by Country Code
1 ENUM LLC, CC Docket No. 99-200

Dear Ms. Dortch:

Attached is a copy of the filing that Telcordia Technologies, Inc. ("Telcordia") made this afternoon electronically in CC Docket No. 99-200, pursuant to Public Notice DA 06-389 released April 12, 2006. The electronic filing was confirmed under confirmation number 2006428770079. I am providing the enclosed copy in hard-copy form just in case something malfunctions under the electronic filing system.

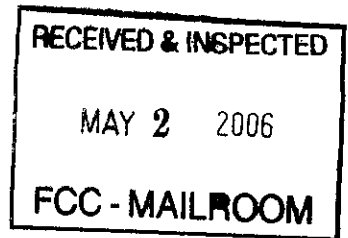
Sincerely,

Michael S. Slomin
Senior Counsel

Attachment

No. of
List

Before the
Federal Communications Commission
Washington, D.C. 20554



In the Matter of)
)
Numbering Resource Optimization) CC Docket No. 99-200
)

**COMMENTS OF TELCORDIA TECHNOLOGIES, INC ON THE
PETITION FOR LIMITED WAIVER BY COUNTRY CODE 1 ENUM LLC**

Telcordia Technologies, Inc. (Telcordia) welcomes the opportunity to submit comments on the Petition for Limited Waiver filed by the Country Code 1 ENUM LLC (ENUM LLC).¹ Telcordia has been an active participant and leader in the development of both public and private ENUM in the United States and is a founding member of the U.S. ENUM Forum and a participant in the Country Code 1 ENUM LLC Technical Advisory Committee.

Telcordia strongly supports making numbering resources available for and conduct of a public ENUM trial. To the extent that available telephone numbers from the inventories of participating service providers (SPs) cannot be used because the Department of State is requiring that the trial be conducted using numbers obtained specifically for a public ENUM trial,² Telcordia supports making numbers available to participating SPs for use in this trial. However, as is detailed below, assignment of numbers to the ENUM LLC for reassignment to participating SPs raises significant concern. Instead, Telcordia recommends a grant of authority to the Pooling Administrator (PA) or the North American Numbering Plan Administrator (NANPA), as

¹ Public Notice #DA 06-389, released April 12, 2006.

² Petition for Limited Waiver, Exhibit 1 Terms and Conditions for an ENUM Trial (conditions hereafter referenced by Condition number), Condition 4 notes "The ENUM LLC must apply to the Federal Communication Commission (FCC) for approval of an assignment of numbers from geographic Numbering Plan Areas (NPAs) in the U.S. for use in the U.S. ENUM trial. These numbers may be distributed appropriately to U.S. trial participants, but not to end users or consumers not affiliated with trial participants . . . Use of any other U.S. numbers in this trial is prohibited."

appropriate, to temporarily assign numbers to participating SPs for use in the trial of public ENUM.

Thus, Telcordia recommends that authority be granted to allow SPs to apply directly to the appropriate administrator for numbers for the public ENUM trial. The applications could be identified as for the trial and be exempted from the FCC's utilization and MTE criteria for growth resources. Telcordia notes that FCC rules require that, among other requirements, both Central Office Codes and Thousands-Blocks only be assigned to SPs that are certified, have an OCN and an Number Resource Utilization/Forecast (NRUF) FCC Form 502 on file with the NANPA.³ In addition, SPs must have a separate forecast on file with the PA in pooling areas. In lieu of other evidence of the ability to put the resource in service or certification, an SP could submit the signature page of its MOU with the ENUM LLC as evidence that the resource will be used solely for the purposes of the trial. If the numbers were instead to be assigned to the ENUM LLC, many of the foregoing requirements would need to be waived. Also, through direct assignment of the numbers to SPs, the FCC also will be able to collect utilization information on the numbers assigned for the trial.

To foreclose waste of scarce numbering resources, Telcordia recommends that assignment of numbering resources for the trial be conditioned on the SPs returning (and/or the PA/NANPA reclaiming) these resources at the end of the trial.⁴ Telcordia further recommends that the FCC specifically incorporate the terms and conditions for the trial as outlined in Exhibit 1 of the Petition in any grant of the petition. Telcordia is concerned particularly that the important condition that the trial be limited to public end user ENUM, and not encompass carrier

³ 47 C.F.R. Part I Section 52.15.

⁴ Condition 4 notes that the participants may assign the numbers to their employees on a temporary basis only but, while this is implicit, it does not specifically note that the assignment of the numbers to trial participants (or to the LLC) is temporary.

or infrastructure ENUM, be specifically incorporated in any grant of the Petition.⁵ Carrier and infrastructure ENUM are still in the early stages of development, and the requirements for those services are emerging and being met today by a burgeoning competitive marketplace. Inclusion of carrier and infrastructure ENUM in the current trial could unfairly affect the development and workings of that competitive marketplace.

Telcordia strongly recommends that the numbers not be provided to the ENUM LLC itself. The LLC is not a company that uses numbering resources, and is therefore ineligible for their assignment as a user. The alternative, providing numbering resources to the ENUM LLC for its assignment or allocation to service providers, would constitute the ENUM LLC as a number administrator. Doing so would be inconsistent with the Communications Act and FCC regulations that require entities that make number assignments to be “impartial”⁶ and not aligned with any particular telecommunications industry segment.⁷ The LLC is neither neutral nor representative of the industry as a whole. It is owned and comprised of only five members, four of which are service providers (and if the AT&T/BellSouth merger is consummated, membership will be reduced further).⁸ The potential for conflicts of interest, real or apparent, is obvious, given that the owners of the LLC are likely to participate in the trial and therefore require assignments from the LLC.

Furthermore, the ENUM LLC as a private entity does not operate or make decisions openly and transparently, and the Commission has not subjected ENUM LLC decisions to

⁵ Condition 6 notes “The ENUM LLC will not permit the testing of carrier or infrastructure ENUM in e164.arpa during the trial period.

⁶ Section 251(e)(1) of the Communications Act of 1934 as amended, 47 U.S.C. §251(e)(1).

⁷ Section 52.12(a)(1) of the Commission’s rules, 47 CFR Part I Section 52.12(a)(1).

⁸ Petition at footnote 1 notes that the LLC currently consists of 5 members, 4 of which are service providers: GoDaddy.com, AT&T, Sprint, BellSouth, Verizon. If the AT&T BellSouth merger is approved, membership will be reduced further.

oversight by the North American Numbering Council (NANC) and the FCC,⁹ so there would be no procedural safeguards against misconduct and conflict of interest by this LLC if it were – improperly, in view of the legal requirements governing number administrators¹⁰ – to be given a number assignment role.¹¹

In summary, Telcordia strongly supports making numbering resources available for and conduct of a public ENUM trial, and recommends that the Commission authorize the existing number administrators, the PA and the NANPA, to provide temporary number assignments for use in this trial by participating service providers as outlined in this filing. This approach is less

⁹ While Exhibit 1 of the Petition would require the ENUM LLC to submit its trial plan documentation, changes thereto, and trial reports to the Department of State, this is not the continuing oversight of number administration-related activities of the LLC by the NANC and the FCC that is required for the NAPM LLC and that would provide a measure of protection to non-members of the ENUM LLC.

¹⁰ See discussion above.

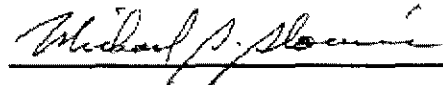
¹¹ Telcordia is currently discussing improvement of the LLC process with other members of the industry, and anticipates making a filing with the Commission in the near future. In brief, we are concerned that the limited membership and lack of transparency in numbering-related decisions of the North American Portability Management (NAPM) LLC is not consistent with the statutory and Commission goals of neutrality and that they do not promote the public interest, and that even the limited protections accorded under Commission decisions addressing that LLC are not accorded in the case of the ENUM LLC. Under Commission decisions, the NAPM LLC is subject to a measure of oversight by the North American Numbering Council (NANC) and the FCC. Thus, some redress is available from the NANC and FCC for ill-advised or improper decisions, although that redress may as a practical matter prove untimely. The ENUM LLC is even more troubling than the NAPM LLC. Its membership is even more limited than that of NAPM LLC (it has five members, of which four are service providers, and two of them, AT&T and BellSouth, are in the process of merging). And the ENUM LLC has no formal or informal oversight by the NANC and the FCC, thus no redress is available. In 1997, the FCC acknowledged that the procedures it was then adopting for LLC oversight were interim ones, and would merit review (FCC 97-289 at para. 114). However, the 1998 rulemaking that was anticipated did not materialize. Since then there have been significant changes that underscore the need for such review: a significant decline in the number of members of the LLCs because of mergers and consolidations; consolidation of multiple number portability-related LLCs into the single NAPM LLC; replacement of multiple Number Portability Administration Center (NPAC) vendors with a single vendor, NeuStar; failure of the NAPM LLC to provide the openness and transparency anticipated in the Commission's 1997 order; and failure to accommodate the views of all segments of the industry in deliberations of LLCs that are comprised of limited segments of the industry. Existing problems raised by the numbering-related decisions and activities of LLCs should not be perpetuated going forward, and the ENUM LLC raises special problems because it is not subject to any of the safeguards, however imperfect, applied to the NAPM LLC.

disruptive than the requested assignment of such numbers to the ENUM LLC; it avoids the necessity to consider and grant multiple rule waivers; and it avoids the delay associated with resolving the significant legal and policy issues that a grant to the ENUM LLC would raise.

Respectfully submitted,

TELCORDIA TECHNOLOGIES, INC.

By:

A handwritten signature in cursive script, appearing to read "Michael S. Slomin", is written over a horizontal line.

Michael S. Slomin

Its Attorney

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April 28, 2006